

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States District Court
Southern District of Texas
FILED

OCT - 8 2019

United States of America
v.
Exar Adrian LINDO-Ayala
YOB: 1990 Citizenship: NicaraguaDavid J. Bradley, Clerk
Case No. *M-19-2373-M**Defendant(s)*

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 1, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. § 1324(a)(1)(A)(ii)

Knowingly or in reckless disregard of the fact that E.A.L.A, a citizen of Nicaragua, who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport, by foot, said alien in furtherance of such violation of law within the United States, that is, from a location in Havana, Texas to the point of arrest in Havana, Texas.

This criminal complaint is based on these facts:

On October 1, 2019, Border Patrol Agents encountered a male subject, later identified as Exar Adrian LINDO-Ayala, and a juvenile, later identified as J.J.M.M, after both illegally crossed the Rio Grande River near Los Havana, Texas. LINDO-Ayala claimed to be traveling with his juvenile son. An immigration inspection was conducted and both subjects were determined to be illegally present in the United States.

✓ Continued on the attached sheet.

Approved AGSA Mike M. Hill
*10-3-19**Claire Groom*
Complainant's signature

Claire Groom, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/3/2019*8:29 am**Pete Ormsby*
Judge's signatureCity and state: McAllen, Texas

U.S. Magistrate Judge Ormsby

Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

RE: Exar Adrian LINDO-AYALA

CONTINUATION:

The subjects were subsequently transported to the Rio Grande Valley/Central Processing Center to be processed accordingly.

On October 1, 2019, Homeland Security Investigations Special Agents (HSI) interviewed LINDO-AYALA upon suspicion that his claim to be the child's father was false. At that time, LINDO-AYALA admitted that he was not the real father of the child and had produced a fraudulent document to claim relation to the child. Prior to being interviewed, LINDO-AYALA was read his Miranda Rights and chose to waive them.

LINDO-AYALA stated that, in fact, he is not the father of the child and was transporting the child in order to be allowed to remain the United States. LINDO-AYALA stated that he intended on transporting the child from Nicaragua to Houston, Texas, where he would seek employment. LINDO-AYALA implied he knew the child was illegally in the United States and intended to further the juvenile's illegal entry and presence in the United States.

The male juvenile was identified as J.J.M.M.